

1 AMENDMENT TO SENATE BILL 714

2 AMENDMENT NO. _____. Amend Senate Bill 714 by replacing
3 the title with the following:

4 "AN ACT to create the Taxpayer Action Board."; and

5 by replacing everything after the enacting clause with the
6 following:

7 "Section 1. Short title. This Act may be cited as the
8 Taxpayer Action Board Act.

9 Section 5. Purpose. The purpose of this Act is to
10 promote the health, welfare, and prosperity of all citizens
11 of this State who reside in the counties to which this Act
12 applies (i) by ensuring effective and democratic
13 representation of taxpayers before all units of local
14 governmental that impose taxes in those counties and (ii) by
15 providing for taxpayer education on taxing and spending by
16 those units of local government. This purpose shall be
17 deemed a statewide interest and not a private or special
18 concern.

19 Section 10. Definitions. As used in this Act:

20 "Campaign contribution" means any money, good, service,

1 credit, or other benefit provided or promised for the purpose
2 of electing a candidate to the board of directors of a TAB.
3 "Campaign contribution" does not include: (i) the value of
4 services provided without compensation by individuals who
5 volunteer a portion or all of their time on behalf of a
6 candidate or political committee; (ii) the use of real or
7 personal property voluntarily provided by an individual for
8 candidate-related activities; or (iii) the cost of
9 invitations, food, and beverages provided by an individual
10 for candidate-related activities on the individual's
11 residential premises, if the cumulative value of these items
12 provided to any candidate by an individual does not exceed
13 \$100 for any election.

14 "Campaign expenditure" means any payment, use,
15 distribution, or gift of money or anything of value made or
16 promised for the purpose of electing a candidate to the board
17 of directors of a TAB. "Campaign expenditure" does not
18 include: (i) the value of services provided without
19 compensation by individuals who volunteer a portion or all of
20 their time on behalf of a candidate or political committee;
21 (ii) the use of real or personal property voluntarily
22 provided by an individual for candidate-related activities;
23 or (iii) the cost of invitations, food, and beverages
24 provided by an individual for candidate-related activities on
25 the individual's residential premises, if the cumulative
26 value of these items provided to any candidate by an
27 individual does not exceed \$100 for any election.

28 "Director" means any person duly elected or appointed to
29 a TAB board of directors under Section 80 or 85 of this Act.

30 "Member" means any person who meets the requirements for
31 membership in the TAB set forth in Section 35 of this Act.

32 "Redistricting" means the redistricting of county board
33 districts.

34 "TAB" means Taxpayer Action Board.

1 "Taxpayer" means any citizen of the county who pays taxes
2 either directly or indirectly to any unit of local government
3 within that county.

4 "The county", unless otherwise defined, means any county
5 in which a TAB is established.

6 Section 15. Counties that may establish a TAB. Any
7 county with a population of less than 2,000,000 and greater
8 than 200,000 inhabitants may establish a Taxpayer Action
9 Board by initiative petition and referendum.

10 Section 20. Petition requirements; form.

11 (a) Any petition to establish a TAB shall be filed with
12 the county clerk. The petition shall be signed by the number
13 of voter in the county equal to at least 5% of the number of
14 votes cast in that county at the last election for governor.
15 The petition must be filed not less than 78 days prior to a
16 regular election to be eligible for submission on the ballot
17 of that election.

18 (b) The petition shall request the submission of the
19 proposition at the next regular election for the purpose of
20 voting for or against establishing a Taxpayer Action Board.

21 The question of establishing a Taxpayer Action Board
22 shall be in substantially the following form:

23 Shall a Taxpayer Action Board be established in
24 County to represent the interests of taxpayers
25 before all units of local government in County?
26 Votes shall be recorded as "Yes" or "No".

27 Section 25. Passage of question. If a majority of all
28 ballots cast on the proposition in a county are in favor of
29 the proposition then a TAB shall be established in that
30 county as provided in this Act.

1 Section 30. Applicability of Election Code. The
2 referendum authorized by this Act shall be conducted in the
3 manner provided by the Election Code.

4 Section 35. TAB membership; fees; dissolution.

5 (a) In each county that passes the question in Section
6 20, there is created a public body corporate and politic to
7 be known as the Taxpayer Action Board of County, or
8 County TAB.

9 (b) The membership of each TAB shall consist of all
10 natural persons who are residents of the county and have
11 contributed to the TAB the required annual membership fee in
12 the preceding 12 months.

13 (c) Until 180 days after each TAB's first election of
14 directors, the TAB's annual membership fee shall be \$5.
15 Thereafter, the TAB may, by vote of its board of directors,
16 alter the annual membership fee and may create a sliding fee
17 structure related to a member's income.

18 (d) A TAB shall not be an agency of the State or county
19 government.

20 (e) If, after the TAB has been incorporated for a period
21 of 3 years, the TAB's membership remains below 500 members
22 for an entire year, the board of directors of the TAB shall
23 dissolve the TAB.

24 Section 40. TAB duties and functions; rights and powers.

25 (a) Each TAB shall:

26 (1) inform, educate, and advise taxpayers and
27 others on taxes and spending by all units of local
28 government in its county;

29 (2) represent and promote the interests of
30 taxpayers in local tax matters as individual taxpayers
31 and collectively in terms of local community needs and
32 broad public interest;

1 (3) take affirmative measures to encourage
2 membership by low and moderate income and minority
3 taxpayers, disseminate information and advice to these
4 taxpayers, and represent their interests in local tax
5 matters;

6 (4) inform, insofar as possible, taxpayers about
7 the TAB, including the procedures for obtaining
8 membership in the TAB; and

9 (5) refrain from interfering with collective
10 bargaining rights of any employee of a local government.

11 (b) Each TAB shall have, in addition to the rights and
12 powers provided by other provisions of this Act, the
13 following rights and powers:

14 (1) To represent the interests of of taxpayers in
15 local tax matters before units of State and local
16 government, legislative bodies, and other public forums,
17 at levy hearings and other proceedings of concern to
18 taxpayers.

19 (2) To initiate, intervene as a party, or otherwise
20 participate on behalf of taxpayers in any proceeding that
21 the TAB reasonably determines may affect the interests of
22 taxpayers.

23 (3) To sue on behalf of any member, group of
24 members, or all members for judicial relief, including
25 damages, in any court of competent jurisdiction in regard
26 to any tax matter.

27 (4) To represent the interest of taxpayers in the
28 resolution of complaints involving a unit of local
29 government.

30 (5) To negotiate on behalf of taxpayers with units
31 of local government.

32 (6) To represent the interests of corporations,
33 unincorporated businesses, and associations in tax
34 matters before units of local government, legislative

1 bodies, and other public forums where such representation
2 is in the interests of taxpayers.

3 (7) To conduct, support, and assist research,
4 surveys, and investigations in tax matters.

5 (8) To contract for services that cannot reasonably
6 be performed by its employees.

7 (9) To make, amend, and repeal bylaws and rules for
8 the regulation of its affairs and the conduct of its
9 business; to adopt an official seal and alter it at
10 pleasure; to maintain an office; to sue and be sued in
11 its own name, plead and be impleaded; and to make and
12 execute contracts and other instruments necessary or
13 convenient to the exercise of the powers of the TAB.

14 (10) To employ any agents, employees, and special
15 advisors as it finds necessary and to fix their
16 compensation.

17 (11) To solicit and accept gifts, loans, or other
18 aid in order to support activities concerning the
19 interests of taxpayers; except that the TAB may not
20 accept gifts, loans, or other aid from any unit of local
21 government or from any official, employee, or agent or
22 member of the immediate family of an official, employee,
23 or agent of any unit of local government. Under this
24 paragraph, "aid" does not mean payment of membership
25 dues.

26 (12) To implement solicitation for TAB funding and
27 membership.

28 (13) To seek tax exempt status under State and
29 federal law, including 501(c)(3) status under the United
30 States Internal Revenue Code.

31 (14) To provide information and advice to taxpayers
32 on any matter with respect to taxes.

33 The powers, duties, rights, and privileges conferred or
34 imposed upon the TAB by this Act may not be transferred.

1 (c) The TAB shall make available to the public any of
2 the following documents prepared by or filed with the TAB
3 within the preceding 7 years:

4 (1) Minutes of the board of directors meetings.

5 (2) Director's or executive director's financial
6 statements.

7 (3) Candidate's financial statements.

8 (4) Annual reports of the TAB.

9 Section 45. Board of directors. Each TAB shall be
10 managed by, and its powers, functions and duties shall be
11 exercised through, a board of directors to be composed as
12 follows:

13 (a) Election and terms of directors. The TAB districts
14 shall be divided into 2 groups for the purpose of
15 establishing terms for which the directors shall be elected
16 in each group. One group shall be comprised of the even
17 numbered county board districts. The odd numbered county
18 board Districts shall comprise the other group. A TAB board
19 of directors shall consist of at least 10 directors. In a
20 county with less than 10 districts, the total number of
21 directors shall be twice the number of election districts of
22 that county.

23 (1) The interim board, within 60 days after their
24 appointment, shall meet and publicly determine by lot
25 which group shall be the first group and which group
26 shall be the second. The board members or their
27 successors from the first group shall be elected for
28 successive terms of 2 years, 2 years, and 4 years; and
29 members or their successors from the second group shall
30 be elected for successive terms of 4 years, 2 years, and
31 2 years.

32 (2) The first election of directors of the board is
33 to be held no later than 8 months after the first meeting

1 of the interim board. Subsequent elections of directors
2 of the board shall be held every 2 years after the first
3 election. The board, however, may change the election
4 date for the second election to up to one month before or
5 after the second anniversary of the first election. All
6 subsequent elections shall occur every 2 years on the
7 anniversary of the second election. This cycle shall
8 begin anew in the year following each decennial
9 redistricting. If the election day falls on a weekend or
10 holiday, the election shall occur on the next business
11 day. In the year following a decennial redistricting all
12 directors terms shall end and elections for directors
13 from the redrawn county board districts shall be held.

14 (3) Interim and elected board members shall serve
15 until their successors are elected and have qualified.

16 (4) Within 45 days after the redistricted county
17 board districts are enacted, the board shall publicly
18 allocate terms by lot between the 2 groups of districts
19 as provided in paragraph (1) of this subsection. Board
20 members or their successors from the first group shall be
21 elected for successive terms of 2 years, 4 years, and 4
22 years; and members or their successors from the second
23 group shall be elected for successive terms of 4 years, 4
24 years, and 2 years. In the year following a decennial
25 redistricting all directors' terms shall end and
26 elections for directors from the redrawn county board
27 districts and for statewide directors shall be held.

28 (b) Qualifications. A director shall be a resident of
29 the district he or she represents and a member of the TAB.
30 No person who is an employee in any managerial or supervisory
31 capacity, director, officer, or agent or who is a member of
32 the immediate family of any employee, director, officer, or
33 agent of any unit of local government is eligible to be a
34 director. No director may hold any elective position in

1 federal, State, or local government.

2 (c) Employment of director's family member. No director
3 nor member of his or her immediate family shall, either
4 directly or indirectly, be employed for compensation as a
5 staff member or consultant of the TAB.

6 (d) Meetings. The board shall hold regular meetings at
7 least once every 3 months on the dates and at the places as
8 it may determine. Special meetings may be called by the
9 president or by a majority of the directors upon at least 7
10 days advance written notice. Unless otherwise provided in the
11 bylaws, a majority of the board of directors shall constitute
12 a quorum. In no event, however, shall a quorum consist of
13 less than one-third of the board of directors. The act of
14 the majority of the directors present at a meeting at which
15 a quorum is present shall be the act of the board of
16 directors unless the act of a greater number is required by
17 this Act or its bylaws. A summary of the minutes of every
18 board meeting shall be made available to each public library
19 in the State upon request and to individuals upon request.

20 (e) Expenses. A director may not receive any
21 compensation for his or her services, but shall be reimbursed
22 for necessary expenses, including travel expenses incurred in
23 the discharge of duties. The board shall establish standard
24 allowances for mileage, room, and meals and the purposes for
25 which allowances may be made. The board shall determine the
26 reasonableness and necessity for reimbursements. The board
27 shall include the schedule of standard allowances in the
28 annual report under paragraph (4) of subsection (c) of
29 Section 40.

30 (f) Bonding. Directors and employees eligible to
31 disburse funds shall be bonded. The costs of the bonds shall
32 be paid by the TAB.

33 Section 50. Duties of the board; executive director. The

1 board shall have the following duties:

2 (a) To establish the policy of the TAB regarding
3 appearances before units of local government, legislative
4 bodies, and other public authorities and regarding other
5 activities that the TAB has the authority to perform under
6 this Act.

7 (b) To employ an executive director who shall have the
8 following powers and duties, subject at all times to the
9 direction and supervision of the board:

10 (1) To implement the policy established by the
11 board under subsection (a).

12 (2) To employ and discharge employees of the TAB.

13 (3) To supervise the offices, facilities, and work
14 of the employees of the TAB.

15 (4) To have custody of and maintain the books,
16 records, and membership rolls of the TAB.

17 (5) To prepare and submit to the board annual and
18 quarterly statements of the financial and substantive
19 operations of the TAB and financial estimates for the
20 future operations of the TAB.

21 (6) To attend and participate in meetings of the
22 board, but without a vote.

23 (7) To file annually with the board a current
24 financial statement that includes the information
25 required under subsection (c) of Section 85.

26 (8) To exercise any other powers and perform any
27 other duties as the board delegates.

28 (c) To hold an annual meeting of the membership on a
29 date and at a place within the county to be determined by the
30 board under Section 65.

31 (d) To assure preparation of:

32 (1) Up-to-date membership rolls.

33 (2) Quarterly statements of the financial and
34 substantive operations of the TAB.

1 (3) An audit of the TAB's books at least once each
2 fiscal year. The audit shall be by a certified public
3 accountant.

4 (4) A report at the close of the TAB's fiscal year.
5 This report shall be made available to each of the TAB's
6 members, as well as to members of the news media who
7 request it. Also, the report shall be made available to
8 each library in the county that requests it, and to
9 individuals upon request.

10 (e) To establish and make available to the public a
11 written policy on the availability and distribution of all
12 records required to be kept by the TAB under this Act.

13 (f) To prepare membership applications and distribute
14 the applications in sufficient amounts or in machine copyable
15 form, upon request, to every library system in the county, as
16 defined in Section 2 of the Illinois Library System Act, for
17 distribution of the applications to all of the public
18 libraries throughout the county, so taxpayers may obtain the
19 applications to submit to the TAB, with annual dues, for
20 membership.

21 (g) To provide all candidates for election to the board
22 as district directors a current list of members residing in
23 the candidate's district upon certification of nomination
24 under subsection (b) of Section 85 and within 5 days of a
25 request by the candidate. The board may restrict a
26 candidate's use of a list as it deems appropriate.

27 (h) To carry out all other duties and responsibilities
28 imposed upon the TAB and the board under this Act.

29 Section 55. Director financial statement. Every director
30 shall annually file with the board a current financial
31 statement which includes the information required under
32 subsection (c) of Section 85.

1 Section 60. Executive director; qualifications.

2 (a) The executive director hired by the board under
3 Section 50 shall have the same qualifications as a director
4 under Section 85, except that the executive director need not
5 be a resident of the TAB's county nor a member of the TAB.
6 The executive director may not be a candidate for director
7 while serving as executive director.

8 (b) The board shall adhere to any applicable State or
9 federal law prohibiting discrimination in employment in
10 hiring the executive director under Section 50.

11 (c) The board shall require all applicants for the
12 position of executive director of a TAB to file a financial
13 statement that includes the information required under
14 subsection (c) of Section 85. The board shall require the
15 executive director to annually file a current statement.

16 Section 65. Annual membership meeting. All members
17 shall be eligible to attend, participate in, and vote in the
18 annual membership meeting called by the board under
19 subsection (c) of Section 50. The meeting shall be open to
20 the public and shall be held in different districts on a
21 rotating basis to the extent feasible. Each year a meeting
22 shall be held in each board district for the members of the
23 district. The members shall receive notice of that meeting
24 at least 14 days in advance.

25 Section 70. Mailing procedure.

26 (a) As used in this Section:

27 "Enclosure" means a card, leaflet, envelope, or
28 combination thereof furnished by the TAB under this Section.

29 "County mailing" means any mailing by the county to 1000
30 or more citizens.

31 (b) To accomplish its powers and duties under Section 40
32 of this Act, the TAB, subject to the following limitations,

1 may prepare and furnish, to the county official responsible
2 for the county mailing in which the TAB seeks to have its
3 enclosure included, an enclosure to be included with that
4 county mailing.

5 (1) The county official furnished with an enclosure
6 shall include the enclosure within the county mailing
7 designated by the TAB.

8 (2) An enclosure furnished by the TAB under this
9 Section shall be provided to the county official a
10 reasonable period of time in advance of the mailing.

11 (3) An enclosure furnished by a TAB under this
12 Section shall be limited to informing the reader of the
13 purpose, nature, and activities of the TAB as set forth
14 in this Act and stating that the reader may become a
15 member in the TAB, maintain membership in the TAB, and
16 contribute money directly to the TAB.

17 (c) The TAB shall reimburse the county for all
18 reasonable incremental costs incurred by the county in
19 complying with this Section above the county's normal mailing
20 and handling costs, provided that:

21 (1) the county official responsible for the mailing
22 in which the TAB enclosure was included shall first
23 furnish the TAB with an itemized accounting of the
24 additional cost; and

25 (2) the TAB shall not be required to reimburse the
26 county for postage costs if the weight of the TAB's
27 enclosure does not exceed 0.35 ounce avoirdupois. If the
28 TAB's enclosure exceeds that weight, then it shall only
29 be required to reimburse the county for postage cost over
30 and above what the county's postage cost would have been
31 had the enclosure weighed only 0.35 avoirdupois.

32 (d) The TAB shall seek authority from municipalities and
33 other local governments within its county to include
34 enclosures within mailings by the municipalities and local

1 governments of tax bills, utility bills, vehicle sticker
2 renewal notices, newsletters, and other mailings to 100 or
3 more citizens. This authority shall be sought under terms
4 similar to those in subsections (a), (b), and (c) of this
5 Section, but the TAB may accept this authority under any
6 terms it deems are in the best interest of the TAB.

7 Section 75. Prohibited acts.

8 (a) No person may penalize any person who contributes to
9 the TAB or participates in any of its activities in
10 retribution for any such contributions or participation.

11 (b) No person may act with intent to prevent, interfere
12 with, or hinder the activities permitted under this Act.

13 (c) A person who violates this Section shall be fined
14 not more than \$1,000. Each violation shall constitute a
15 separate offense. A person who knowingly and wilfully
16 violates this Section may be imprisoned not more than 6
17 months.

18 Section 80. Interim board of directors.

19 (a) Within 90 days after this Act becomes effective in a
20 county an interim board of directors shall be appointed. The
21 Board shall consist of 9 members. The president of the county
22 board shall appoint the members. The appointees shall
23 reflect minority groups, low-income persons, labor
24 organizations, business, women, senior citizens, and various
25 geographical areas in the county. No interim director
26 appointed under this Section may hold an elective position
27 in, or be employed by, federal, State, or local government.

28 (b) The interim board appointed under this Section
29 shall:

30 (1) As soon as possible after appointment, organize
31 for the transaction of business.

32 (2) Inform taxpayers of the existence, nature, and

1 purposes of the TAB, and encourage them to join the TAB,
2 to participate in the TAB's activities, and to contribute
3 to the TAB.

4 (3) Elect officers as provided under Section 95.

5 (4) Employ such staff as the interim directors deem
6 necessary to carry out the purposes of this Section. The
7 interim board appointed under this Section shall follow
8 the procedures required under Section 60 if it hires an
9 executive director.

10 (5) Make all necessary preparations for the first
11 election of directors, oversee the election campaign, and
12 tally the votes under Section 85.

13 (6) Solicit funds for the TAB.

14 (7) Carry out all other duties and exercise all
15 other powers accorded to the board under this Act
16 including the powers given to the TAB under Section 40.

17 Section 85. Nominations and elections.

18 (a) Eligibility. To be eligible for election to the
19 board, a candidate must:

20 (1) Meet the qualifications for directors under
21 Section 45.

22 (2) Have his or her nomination certified by the
23 board under subsection (b) of this Section.

24 (3) Submit a statement of financial interests to
25 the board as required by subsection (c) and a statement
26 of personal background and positions as required by
27 subsection (d).

28 (4) Make the affirmation under paragraph (5) of
29 subsection (c).

30 (b) Nomination. A candidate for election to the board
31 shall circulate or have a member of the TAB circulate a
32 petition for nomination on the candidate's behalf not sooner
33 than 120 days preceding the election and shall file the

1 petition with the TAB not later than 60 days before the
2 election. The petition for nomination for a director shall
3 be signed by at least 10 members residing in his or her
4 district. The board shall verify the validity of the
5 signatures by comparing them to the signatures on the
6 membership applications and the current list of members
7 maintained by the board. Within 14 days after the petition
8 is due, the board shall determine whether a sufficient number
9 of signatures are valid. If the board determines a
10 sufficient number are valid, it shall certify the nomination
11 of the candidate.

12 (c) Statement of financial interests. With his or her
13 petition for nomination, a candidate for election to the
14 board shall submit to the board a statement of financial
15 interests upon a form provided by the board. The statement
16 of financial interests shall include the following
17 information:

18 (1) The occupation, employer, and position at place
19 of employment of the candidate and his or her immediate
20 family members.

21 (2) A list of all corporate directorships or other
22 offices, and of all fiduciary relationships, held in the
23 past 3 years by the candidate and by his or her immediate
24 family members.

25 (3) The name of any creditor to whom the candidate
26 or a member of the candidate's immediate family owes
27 \$10,000 or more.

28 (4) The name of any corporation in which the
29 candidate holds a security with a current market value of
30 \$5,000 or more.

31 (5) An affirmation, subject to penalty of perjury,
32 that the information contained in the statement of
33 financial interest is true and complete.

34 (d) Statement of personal background and positions. A

1 candidate for election to the board shall submit to the board
2 with his or her petition for nomination, on a form to be
3 provided by the board, a statement concerning his or her
4 personal background and positions on issues relating to taxes
5 or the operations of the TAB. The statement shall contain an
6 affirmation, subject to penalty of perjury, that the
7 candidate meets the qualifications prescribed for directors
8 in subsection (b) of Section 45.

9 (e) Restrictions on, and reporting of, campaign
10 contributions and expenditures.

11 (1) No candidate may accept more than \$200 in
12 campaign contributions from any person or political
13 committee for a period beginning one year before the date
14 of an election through the date of the election.

15 (2) Each candidate for election to the board shall
16 keep complete records of all contributions to his or her
17 campaign of \$25 or more for a period beginning one year
18 before the date of an election through the date of the
19 election and, at the board's request, shall make these
20 records available for inspection by the board.

21 (3) As a condition for receiving the benefits of
22 the board's mailing under subsection (f), a candidate for
23 election to the board shall agree in writing to incur no
24 more than \$1,500 in campaign expenditures from the time
25 her or she commences circulation of petitions for
26 nomination or from 4 months prior to the election,
27 whichever is earlier, through date of election.

28 (4) Each candidate for election to the board shall
29 keep complete records of his or her campaign expenditures
30 and, at the board's request, shall make the records
31 available for inspection by the board.

32 (5) No earlier than 14 days and no later than 8
33 days before the election, each candidate for election to
34 the board shall submit to the board, on a form provided

1 by the board, an accurate statement of his or her
2 campaign contributions, swearing that he or she has fully
3 complied with the requirements of this subsection.

4 (6) No candidate for election to the board may use
5 any campaign contribution for any purpose except for
6 campaign expenditures. Any campaign contribution not
7 expended shall be donated no later than 90 days after the
8 election to the TAB or to any charitable organization at
9 the option of the candidate.

10 (f) Election procedures.

11 (1) Not sooner than 30 and not later than 10 days
12 before the date fixed for the election, the board shall
13 mail or distribute, to each member's address on file with
14 the TAB, an official ballot listing all candidates for
15 director from the member's district who satisfy the
16 requirements of subsection (a). With the ballot, the
17 board shall include each candidate's statement of
18 financial interests submitted under subsection (c). With
19 each ballot the board shall also include the statement by
20 each candidate of personal background and positions as
21 required under subsection (d), if the candidate has
22 agreed in writing to limit his or her campaign
23 expenditures under subsection (e).

24 (2) Each member may vote in the election by
25 returning his or her official ballot in person or by
26 first class mail, properly marked, to the ballot return
27 location designated by the TAB. Ballots returned to the
28 location designated by the TAB must be postmarked on or
29 before the date fixed for the election or must be
30 received at the ballot return location designated by the
31 TAB on or before the date fixed for the election.

32 (3) Voting shall be by secret ballot.

33 (4) The board shall tally votes with all reasonable
34 speed and shall inform the membership promptly of the

1 names of the candidates elected.

2 (5) Within 30 days after the election, the board
3 for each district shall certify the candidate elected to
4 the board if the candidate has the most votes in the
5 district and if he or she has complied with this Section.

6 (6) If a vacancy in nomination occurs because no
7 candidate has filed for nomination, the board, by a
8 majority of those voting, shall appoint a member of the
9 TAB who resides in the district to be the candidate.

10 (7) If the candidate with the most votes dies,
11 declines, or resigns from candidacy before being
12 certified under paragraph (5), the office for which the
13 candidate ran shall be vacant and shall be filled by the
14 board as provided in paragraph (8).

15 (8) If a vacancy on the board occurs with more than
16 12 months remaining in the term, the board shall set a
17 date for a special election for the district for the
18 purpose of electing a director to serve out the term of
19 the vacant office and shall so notify every member in the
20 district. The election may be not less than 2 months nor
21 more than 4 months after the notification. An election
22 under this Section shall be conducted in the same manner
23 as other elections of directors. If less than 12 months
24 remains in the term of a director, the board may appoint
25 a member of the TAB who resides in the district where the
26 vacancy exists to be the director from that district.

27 (g) Election rules. The board may prescribe rules for
28 the conduct of elections and election campaigns consistent
29 with this Act.

30 Section 90. Public inspection of statements. Statements
31 filed with each TAB shall be available for public inspection
32 at the office of the TAB during reasonable hours of the day.
33 These records may be copied. The TAB may charge a reasonable

1 fee for the cost of the copies.

2 Section 95. Board officers.

3 (a) Election. The interim board of directors and the
4 board of directors, at the first regular meeting of each at
5 which a quorum is present, shall elect by a majority vote of
6 the directors present and voting a president, vice president,
7 secretary, and treasurer. The board may elect other officers
8 as it deems necessary.

9 (b) Term of office.

10 (1) Board officers shall begin serving immediately
11 upon their election and their term of office shall be one
12 year. After his or her term of office has expired, a
13 board officer shall continue to serve until his or her
14 successor is elected.

15 (2) If a board office is vacant, the board shall
16 elect a successor to serve out the term of the office.

17 (c) Powers and duties. Board officers shall exercise
18 powers and perform duties as prescribed by this Act or as
19 delegated to them by the board.

20 Section 100. Gifts; solicitations.

21 (a) No person may offer or give anything of monetary
22 value to any director, employee, or agent of a TAB if the
23 offer or gift influences or is intended to influence the
24 action or judgement of the director, employee, or agent of
25 the TAB in his or her capacity as director, employee, or
26 agent of the TAB.

27 (b) No director, employee, or agent of a TAB may solicit
28 or accept anything of monetary value from any person if the
29 solicitation or acceptance influences or is intended to
30 influence the official action or judgement of the director,
31 employee, or agent in his or her capacity as director,
32 employee, or agent of a TAB.

1 (c) Any person who knowingly and wilfully violates this
2 Section shall be fined not more than \$1,000, imprisoned not
3 more than 6 months, or both.

4 (d) The board shall remove from office any director
5 convicted under this Section and shall fill that office as
6 provided in Section 85.

7 Section 105. Endorsement of political party or candidate.
8 A TAB may not sponsor, endorse, or otherwise support, nor may
9 it oppose, any political party or the candidacy of any person
10 for elected public office.

11 Section 110. Expenses; liabilities. All expenses of a TAB
12 incurred in carrying out this Act shall be payable solely
13 from the funding as provided under this Act and no liability
14 may be incurred by a TAB beyond the extent to which moneys
15 have been provided under this Act. For the purposes of
16 meeting the necessary expenses of postage, preparing, and
17 printing the enclosure, initial organization, and operation
18 of a TAB for the period commencing on the date this Act
19 becomes effective in the county and continuing until the
20 first election of the board of directors under Section 85,
21 however, the TAB or any individual on behalf of the TAB may
22 borrow money as it requires. Money so borrowed by the TAB or
23 any individual shall subsequently be repaid with appropriate
24 interest over a reasonable period of time.

25 Section 115. Dissolution. A TAB may dissolve or be
26 dissolved under the General Not For Profit Corporation Act of
27 1986.

28 Section 117. Tax levy; pledge of credit; obligations. A
29 TAB shall have no right or authority to levy any tax or
30 special assessment, to pledge the credit of the State or any

1 other subdivision or municipal corporation of the State, or
2 to incur any obligation enforceable upon any property within
3 or without the county in which the TAB operates.

4 Section 120. Construction.

5 (a) This Act, being necessary for the welfare of the
6 State and its inhabitants, shall be liberally construed to
7 effect its purposes.

8 (b) Nothing in this Act shall be construed to (i) limit
9 the right of any person to initiate, intervene in, or
10 otherwise participate in any regulatory agency proceeding or
11 court action, (ii) require any petition or notification to a
12 TAB as a condition precedent to the exercise of any right, or
13 (iii) relieve any regulatory agency or court of any
14 obligation, or to affect its discretion, to permit
15 intervention or participation by any person in any proceeding
16 or action.

17 Section 125. Severability. The provisions of this Act
18 are severable under Section 1.31 of the Statute on Statutes.

19 Section 999. Effective date. This Act takes effect upon
20 becoming law."